



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hamedani, et al.

Title: METHOD AND APPARATUS FOR VIRTUAL PATH
AGGREGATION (VPA) CONNECTION ADMISSION CONTROL
(CAC)

App. No.: 09/293,293

Filed: 04/16/1999

Examiner: Duong, Duc T.

Group Art Unit: 2663

Atty. Dkt. No. 1400.9801260

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Assistant Commissioner for Patents
Washington, D.C. 20231

OCT 04 2002

Technology Center 2600

RESPONSE

Dear Sir:

In response to the Office action of 05/22/2002, Applicant respectfully submits the following:

REMARKS/ARGUMENTS

Claims 1-21 are pending in the present application. The Examiner has allowed claims 14-21. The Examiner has rejected claims 1, 6-8, 10, and 13. The Examiner has objected to claims 2-5, 9, 11, and 12. Applicant respectfully requests reconsideration of pending claims 1-13.

The Examiner has rejected claims 1, 6-8, 10, and 13 under 35 U.S.C. 102(e) as being anticipated by Graham et al. (U.S. Patent No. 6,097,722). Regarding claims 1 and 8, the Examiner states that "Graham discloses an apparatus (Fig. 1A) for connection admission control comprising a processor, wherein the memory stores a connection admission control algorithm, wherein when executed by the processor, the connection admission control algorithm causes the processor to determine: in response to a request for a virtual path aggregation, if there is a trunk group (Fig. 5A, 5B, 5C, and 6, 'path group'), within a source switch 130x (Fig. 1A), having a virtual path identifier that matches the virtual path identifier of the virtual path aggregation, wherein the request indicates a desired data path between the source switch and a destination switch, wherein the request includes a traffic descriptor and a virtual path identifier for the virtual path aggregation (Fig. 8 col. 7 lines 29-35);

reject the virtual path aggregation request when: there is a trunk group within the switch with the same virtual path identifier as the virtual path aggregation and bandwidth characteristics of the virtual path aggregation that are included in the traffic descriptor compare unfavorably (overload) with bandwidth limitations of the trunk group (Fig. 8 col. 7 lines 65-67 and col. 8 lines 1-14); and create the virtual path aggregation such that the virtual path aggregation corresponds to the trunk group when there is a trunk group within the switch with the same virtual path identifier as the virtual path aggregation and bandwidth characteristics of the virtual path aggregation compare favorably with bandwidth limitations of the trunk group (Fig. 8, after determine the VP group and VP, and if the bandwidth available the connection is set up)."

Applicant respectfully disagrees. Applicant submits that the teachings of Graham, et al. fail to anticipate the claimed invention, as set forth in claims 1, 6-8, 10, and 13. For example, while the Examiner cites col. 7, lines 65-67, of Graham, et al. as teaching the rejection of a virtual path aggregation request, the portion of Graham, et al. teaches that a client "...can 'borrow' additional bandwidth from the provider of the virtual private network as long as the provider is not in an "overload" condition. Applicant cannot find teaching in Graham, et al. of rejecting the virtual path aggregation request as recited in the cited claims. As another example, Applicant cannot find teaching in Graham, et al. of "wherein the request includes a traffic descriptor and a virtual path identifier for the virtual path aggregation." Again, the portion of Graham, et al. cited by the Examiner (col. 7, lines 29-35) do not appear to disclose such teaching. Thus, Applicant submits that Graham, et al. fail to anticipate the claimed invention, as set forth in claims 1, 6-8, 10, and 13.

Regarding claims 6, 7, and 13, the Examiner states that "Graham discloses for the connection admission algorithm creating the virtual path aggregation such that the virtual path aggregation corresponds to the trunk group further comprises creating the virtual path aggregation such that the virtual path aggregation supports virtual channel connections (Fig. 7A and 7B col. 12 lines 49-67)."

Applicant respectfully disagrees. Applicant submits that Graham, et al. fail to teach the virtual path aggregation as set forth in the cited claims and, consequently, fail to teach the invention as set forth in the cited claims. Thus, Applicant submits that claims 6, 7, and 13 are in condition for allowance.

Regarding claim 10, the Examiner states that "Graham discloses the connection admission control algorithm further comprises operating instructions that cause the processor to create the virtual

path aggregation corresponding to the trunk group such that the virtual path aggregation supports switched connections (col. 11 lines 45-47)."

Applicant respectfully disagrees. The Examiner cites col. 11, lines 45-47 of Graham, et al., which state, "Similarly, additional bandwidth capacity within virtual path group 409 is unspecified." Applicant submits that the cited portion of Graham, et al. does not teach "such that the virtual path aggregation supports switched connection. Therefore, Applicant submits that claim 10 is in condition for allowance.

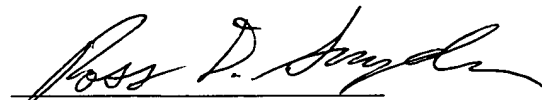
The Examiner states that claims 2-5, 9, 11, and 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant submits that, in view of Applicant's arguments for the allowability of the claims from which claims 2-5, 9, 11, and 12 depend, that claims 2-5, 9, 11, and 12 are in condition for allowance.

The Examiner states that claims 14-21 are allowed. While the Examiner provides a statement of reasons for the indication of allowable subject matter, Applicant submits that broader reasons for allowability may be stated. For example, based on the arguments Applicant has set forth above in response to the claim rejections, Applicant submits that claims 1-21 are allowable for additional reasons beyond those mentioned by the Examiner.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

23 September 2002 Date


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